

EXHIBIT A

Transcript of the Testimony of
Peter Glick

Date:

July 01, 2021

Case:

LINDA SUSAN MULLENIX vs UNIVERSITY OF TEXAS AT AUSTIN

Peter Glick

July 01, 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LINDA SUSAN MULLENIX,)
Plaintiff,)

v.)

CIVIL ACTION NO. 1:19-CV-1203-LY

UNIVERSITY OF TEXAS)
AT AUSTIN,)
Defendant.)

REMOTE ORAL DEPOSITION OF

DR. PETER GLICK

JULY 1, 2021

REMOTE ORAL DEPOSITION OF DR. PETER GLICK, produced remotely as a witness at the instance of the Defendant, and duly sworn, was taken in the above-styled and numbered cause on the 1st of July, 2021, from 9:03 a.m. to 5:41 p.m., before Beth Quintana, CSR in and for the State of Texas, Registered Professional Reporter, reported by machine shorthand, at the witness's residence located at 4941 Rivermoor Drive, Omro, Wisconsin, pursuant to the Texas Rules of Civil Procedure, the Current Emergency Order regarding the COVID-19 State of Disaster, and the provisions stated on the record or attached hereto.

Peter Glick

July 01, 2021
Pages 166 to 169

<p style="text-align: right;">Page 166</p> <p>1 (e.g., by being assertive) get slammed with hostility, 2 workplace penalties, and even retaliatory sabotage (whereas a 3 man who behaved in the same way might be admired, tolerated, or 4 at least receive less hostility and fewer penalties.)"</p> <p>5 I just want to clarify, you are not -- in making 6 that statement, are you suggesting that all women who defy 7 gender prescriptions get slammed with hostility, workplace 8 penalties and even retaliatory sabotage?</p> <p>9 A No, I'm not making that -- not trying to imply all 10 women at all times.</p> <p>11 Q Okay. And you are not making -- and am I correct 12 that you cannot offer an assessment of how often women who defy 13 gender prescriptions get slammed with hostility, workplace 14 penalties and retaliatory sabotage; am I correct in that?</p> <p>15 A This is a general effect and it depends on all sorts 16 of factors, so I can't give you a precise number for that.</p> <p>17 Q And you certainly can't state whether that's 18 occurring in this case; is that correct?</p> <p>19 A I am not stating whether that's occurring in this 20 case.</p> <p>21 Q So then in the fourth paragraph -- the paragraph 22 starting "fourth," second sentence states, "For example, a 23 biased evaluator might acknowledge that Professor Mullenix was 24 prolific in her scholarship, but downplay its quality - perhaps 25 not as totally incompetent, but as less excellent than a better</p>	<p style="text-align: right;">Page 168</p> <p>1 in your field. I can't judge her scholarship." You know, 2 "here are some indicators to look at, but you've got to sort 3 this out." So I really feel like I'm being about as fair as I 4 can be.</p> <p>5 Q You use the word "retaliation" in your report as 6 well, and that's one thing we did not -- if I recall correctly, 7 we did not go through what you mean by that. Can you describe 8 what you mean by retaliation?</p> <p>9 A Right. Well, I think I, in this report, often use 10 retaliation interchangeably sometimes with discrimination. So 11 I know that in the legal sphere, retaliation can have maybe a 12 more specific meaning. I have some -- some sense that that's 13 the case. So retaliation would be, you know, hostile, bias 14 actions or actions, you know, stemming from bias that are 15 discriminatory and hostile. But it can include more broadly 16 discriminatory kinds of behaviors.</p> <p>17 Q Just to be clear, you do not use the word retaliation 18 to mean conduct in response to specific protected activity as 19 that's defined by the statute?</p> <p>20 A Correct, I'm not using it in that very specific legal 21 sense.</p> <p>22 Q And it sounds like you're using it as when a person 23 engages in behavior that is contrary to what is expected of 24 them, if they suffer adverse consequences for engaging in that 25 behavior, that you would consider retaliation?</p>
<p style="text-align: right;">Page 167</p> <p>1 liked male colleague's work."</p> <p>2 Could that also -- could that sentence also be 3 correct -- I'm sorry, let me strike that.</p> <p>4 Would it also be correct to say that an unbiased 5 evaluator might acknowledge that Professor Mullenix was 6 prolific in her scholarship, but determine that it is of lesser 7 quality - perhaps not as totally incompetent, but less 8 excellent than a male colleague's entire quality of work?</p> <p>9 A Right. So again, I can't independently evaluate 10 Professor Mullenix's scholarship and so this is for the case 11 decision-makers to sort out what they see as the more likely 12 explanation based on the evidence before them. It's, you know, 13 possible for an evaluator, who is not biased by gender, to, you 14 know -- to potentially come to that conclusion. I'm not going 15 to exclude that as a possibility. That's how it's always going 16 to be when you ask me these questions.</p> <p>17 Q Is there a reason why you did not include that as an 18 alternative explanation?</p> <p>19 A I think that's -- I think I'm really pretty clear on 20 this. I think I'm very clear in the context of the report 21 that, you know, it could be biased or it -- case 22 decision-makers will have to decide whether bias is involved. 23 If they decide that basis is not involved, then obviously 24 they're thinking that this is an accurate evaluation of the 25 scholarship. I think I say in there, "Look, I'm not an expert</p>	<p style="text-align: right;">Page 169</p> <p>1 A Yeah, that could be retaliatory. Yeah, that would -- 2 that would fit.</p> <p>3 Q Such as being assertive or requesting to be put in 4 positions of leadership or for challenging decisions that have 5 been previously made?</p> <p>6 A Correct.</p> <p>7 Okay. You also refer to, at the bottom of Page 8 49, decades -- or "Professor Mullenix's claims that she has 9 suffered decades of discrimination," and I notice that you 10 point at various points in time to events that occurred with 11 Dean Sager, prior to Dean Farnsworth even being at the 12 University of Texas.</p> <p>13 Were you provided any instruction to limit the 14 evidence that you looked at to any particular temporal time 15 period?</p> <p>16 A I recall, you know, Mr. Walsh informing me that, you 17 know, the lawsuit covers a specific time period. But in terms 18 of my analysis, you know, context -- broader context can matter 19 as kind of a background sort of factor to later actions. So I 20 think we discussed this and I felt that I was able to include 21 some of that as sort of, you know, in forming the potential 22 processes that might be relevant here. But I do understand 23 that the lawsuit covers a specific time period, you know, that 24 is more recent.</p> <p>25 Q Do you think any of your opinions may be different if</p>

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CHANGES AND SIGNATURE

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WITNESS NAME: DR. PETER GLICK

DATE: JULY 1, 2021

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PAGE

LINE

CHANGE

REASON

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Signature: _____

Date: _____

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1 I, Dr. Peter Glick, have read the foregoing
2 deposition and hereby affix my signature that same is true and
3 correct, except as noted above.
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5 _____
6 Dr. Peter Glick
7 THE STATE OF _____)
8 COUNTY OF _____)
9
10 Before me, _____, on this
11 day personally appeared DR. PETER GLICK, known to me (or
12 proved to me under oath or through _____)
13 (description of identity card or other document) to be
14 the person whose name is subscribed to the foregoing
15 instrument and acknowledged to me that they executed the same
16 for the purposes and consideration therein expressed.
17 Given under my hand and seal of office this _____
18 day of _____, 2021.
19
20
21 _____
22 NOTARY PUBLIC IN AND FOR
23 THE STATE OF TEXAS
24 My commission expires: _____
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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF TEXAS
3 AUSTIN DIVISION

4 LINDA SUSAN MULLENIX,)
Plaintiff,)
5)
v.) CIVIL ACTION NO. 1:19-CV-1203-LY
6)
UNIVERSITY OF TEXAS)
7 AT AUSTIN,)
Defendant.)

8
9
10 REPORTER'S CERTIFICATION

11 REMOTE ORAL DEPOSITION OF DR. PETER GLICK

12 JULY 1, 2021

13 I, Beth Quintana, CSR, RPR, Certified Shorthand
14 Reporter in and for the state of Texas, hereby certify to the
15 following:

16 That the witness, Dr. Peter Glick, was duly sworn
17 by the officer and that the transcript of the oral deposition
18 is a true record of the testimony given by the witness;


19 That the deposition transcript was submitted on
20 _____, to the witness or to the attorney
21 for the witness for examination, signature and return to
22 Kim Tindall & Associates by _____.

23 That the amount of time used by each party at the
24 deposition is as follows:

25 Mr. Darren Gibson - 6:57

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1 That pursuant to information given to the deposition
2 officer at the time said testimony was taken, the following
3 includes counsel for all parties of record:
4 Mr. Colin Walsh, Attorney for Plaintiff.
5 Mr. Darren Gibson, Attorney for Defendant.
6 I further certify that I am neither counsel for,
7 related to, nor employed by any of the parties in the action
8 in which this proceeding was taken, and further that I am not
9 financially or otherwise interested in the outcome of
10 the action.
11 Further certification requirements pursuant to Rule
12 203 of TRCP will be certified to after they have occurred.
13 Certified to be me this 9th day of July, 2021.
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Beth Quintana, Texas CSR 11435
Expiration Date: 03/31/2022
Firm Registration No. 631
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